

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Patrick POVEDA  
Serial No: Unassigned  
Confirmation No: Unassigned  
Filed: Herewith  
For: VARIABLE CAPACITANCE

Examiner: Unassigned  
Art Unit: Unassigned

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**Mail Stop Patent Application**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed within three months of the filing date of a National Application other than a continued prosecution application under 37 C.F.R. §1.53(d). No fee or certification is required.

PART II: Compliance with 37 CFR §1.704(d)

Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart application and this communication was not received by the office of the undersigned more than 30 days prior to filing of this Information Disclosure Statement.

PART III: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

The examiner's attention is hereby drawn to the attached French Search Report.

PART IV: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified):

The following are remarks concerning the other information cited:

For the relevance of the listed non-English language reference, the examiner's attention is drawn to the enclosed French Search Report, wherein the document FR 2 389 237 A has been placed in category "X", meaning that, in the opinion of the French Searching Authority, it is particularly relevant if taken alone.

PART V: Remarks

A copy of any document cited anywhere in the Information Disclosure Statement is enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

Attorney's  
Docket No.: S1022/81036US00

Express Mail Label No.: EV 292 562 331 US

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

Patrick POVEDA

By: 

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Docket No. S1022.81036US00  
Date: September 23, 2003  
**X09/26/03X**

<b>FORM PTO-1449/A and B (Modified)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		APPLICATION NO.: Unassigned		ATTY. DOCKET NO.: S1022.81036US00	
		FILING DATE: Herewith		CONFIRMATION NO.: Unassigned	
		APPLICANT: Patrick POVEDA			
		GROUP ART UNIT: Unassigned		EXAMINER: Unassigned	
Sheet		of			

#### U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	*	4,017,885		Kendall et al.	4,017,885

#### FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
		FR	2 389 237	A1	Thomson-CSF	11/24/78	N

#### OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)	
		French Search Report from French Patent Application No. 02/11848, filed September 25, 2002		

EXAMINER	DATE CONSIDERED
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.  
Include copy of this form with next communication to applicant.

\* Pursuant to new U.S. PTO practice copies of any U.S. Patent are not enclosed.